

Bureau of Licensure and Certification

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: NVS5254PCA	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 08/14/2008
NAME OF PROVIDER OR SUPPLIER ADL HOME CARE, INC		STREET ADDRESS, CITY, STATE, ZIP CODE 5028 ALTA DR LAS VEGAS, NV 89107		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
P 000	<p>Initial Comments</p> <p>This findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws.</p> <p>This Statement of Deficiencies was generated as a result of the initial State Licensure survey conducted in your agency on August 14, 2008. This State Licensure survey was conducted by the authority of NRS 449.150, Powers of the Health Division.</p> <p>The following deficiencies were identified:</p> <p>Section 16. A separate personnel file must be kept for each attendant of an agency and must include, without limitation:</p> <p>(c) Documentation that the attendant has had the tests or obtained the certificates required by NAC 441A.375.</p> <p>Based on record review on 8/14/08, the agency did not ensure physician statements were completed for 11 of 13 attendants.</p> <p>Findings include:</p> <p>Files for Employees #1, #2, #3, #4, #5, #6, #8, #9, #10, #11, and #13 did not contain a copy of a physical examination or a certification from a licensed physician that the employee was in a state of good health, was free from active tuberculosis and any other communicable disease in a contagious stage.</p> <p>Section 16. A separate personnel file must be</p>	P 000		

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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P 000	<p>Continued From page 1</p> <p>kept for each attendant of an agency and must include, without limitation:</p> <p>(f) Proof that, within 6 months after the attendant began working for the agency, the attendant obtained a certificate in first aid and cardiopulmonary resuscitation issued by the American Red Cross or an equivalent certificate approved by the Health Division.</p> <p>Based on record review on 8/14/08, 1 of 13 attendants had not received training in first aid.</p> <p>Findings include:</p> <p>Employee #7 - Hire date was 6/30/04. The employee file did not contain evidence of first aid training.</p> <p>Section 18. Each attendant of an agency must:</p> <p>3. Understand the provisions of this chapter and chapter 449 of NRS.</p> <p>Based on record review and interview on 8/14/08, 13 of 13 attendant files reviewed did not contain documentation that each attendant understood the provisions of this chapter and chapter 449 of the Nevada Revised Statutes (NRS).</p> <p>Findings include:</p> <p>Employee files were reviewed. None of the files contained documentation the attendants understood the provisions of this chapter and chapter 449 of NRS.</p> <p>The administrator stated that she provided each attendant with a copy of the provisions. She planned to have each attendant sign a statement</p>	P 000		

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P 000	<p>Continued From page 2</p> <p>acknowledging that the provisions were read and understood.</p> <p>Section 17.2. Each supervisory visit and each telephone call must be documented. The documentation must be dated and signed by the administrator or his designee. Each supervisory visit and each telephone call must consist of an evaluation of whether;</p> <p>(a) Appropriate and safe techniques have been used in the provision of personal care services to the client;</p> <p>(b) The service plan established for the client has been followed;</p> <p>(c) The service plan established for the client is meeting the personal care needs of the client;</p> <p>(d) The attendant providing the personal care services to the client has received sufficient training relating to the personal care services that the attendant is providing to the client; and</p> <p>(e) It is necessary for the administrator or his designee to follow up with the attendant or client concerning any problem in the personal care services being provided to the client or the service plan established for the client that are identified as the result of the supervisory visit or telephone call.</p> <p>Based on record review on 8/14/08, 15 of 15 client files did not contain the required documentation of a supervisory contact.</p> <p>Findings include:</p> <p>Fifteen client files were reviewed and all fifteen</p>	P 000			

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P 000	<p>Continued From page 3</p> <p>did not have the required documentation because supervisory visits or telephone calls had not been conducted.</p> <p>Section 19. 1. Each attendant of an agency shall:</p> <p>(a) Obtain a working knowledge of the provisions of this chapter which govern the licensing of agencies before providing personal care services to the clients of the agency. The agency must provide a copy of those provisions to an attendant before the attendant may provide personal care services to the clients of the agency.</p> <p>Based on interview on 8/14/08, the agency did not ensure the attendants received a copy of the provisions of this chapter or obtain a working knowledge of the chapter provisions.</p> <p>Findings include:</p> <p>The administrator reported she had no documentation that she provided a copy of the regulations to her attendants.</p> <p>Section 19. 1. Each attendant of an agency shall:</p> <p>(b) Participate in and complete a training program before independently providing personal care services to the clients of the agency. The training program must include an opportunity for the attendant to receive on-the-job instruction provided by clients of the agency, as long as the administrator of the agency or his designee provides supervision during this instruction to determine whether the attendant is able to provide personal care services successfully and independently to the client.</p>	P 000		

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P 000	<p>Continued From page 4</p> <p>Based on review of personnel records and interview on 8/14/08, the agency failed to ensure that 9 of 13 employees were trained as required.</p> <p>Findings include:</p> <p>Employee #2: The record did not reflect evidence of training on the topics of confidentiality, the special needs of the elderly, what to do in case of emergencies or in response to adverse behaviors, nutrition and dehydration, bowel and bladder care, skin care, hand washing and infection control, body mechanics, and maintaining a clean and safe environment.</p> <p>Employee #4: The record did not reflect evidence of training on the topics of communication skills, bowel and bladder care, skin care, hand washing and infection control, and maintaining a clean and safe environment.</p> <p>Employee #5: The record did not reflect evidence of training on the topics of confidentiality, the special needs of the elderly, what to do in case of emergencies or in response to adverse behaviors, nutrition and dehydration, bowel and bladder care, skin care, hand washing and infection control, body mechanics, and maintaining a clean and safe environment.</p> <p>Employee #6: The record did not reflect evidence of what to do in case of emergencies or in response to adverse behaviors, skin care, hand washing and infection control, body mechanics, and maintaining a clean and safe environment.</p> <p>Employee #7: The record did not reflect evidence of training on the topics of communication skills, nutrition and hydration, bowel and bladder care,</p>	P 000			

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P 000	<p>Continued From page 5</p> <p>and skin care.</p> <p>Employee #8: The record did not reflect evidence of training on the topics of what to do in case of emergencies or in response to adverse behaviors.</p> <p>Employee #9: The record did not reflect evidence of training on the topics of what to do in case of emergencies or in response to adverse behaviors, and nutrition and dehydration.</p> <p>Employee #10: The record did not reflect evidence of training on the topics of confidentiality, the special needs of the elderly, what to do in case of emergencies or in response to adverse behaviors, nutrition and dehydration, bowel and bladder care, skin care, hand washing and infection control, body mechanics, and maintaining a clean and safe environment.</p> <p>Employee #11: The record did not reflect evidence of training on the topics of services to be provided, time sheets, clients rights, confidentiality, the special needs of the elderly, communication skills, what to do in case of emergencies or in response to adverse behaviors, nutrition and dehydration, bowel and bladder care, skin care, hand washing and infection control, body mechanics, and maintaining a clean and safe environment.</p> <p>The agency administrator stated that most of the employee were hired from another agency when it closed and their training certificates did not list specific topics or did not include the required topics.</p> <p>Sec. 20. 1. When a person is accepted as a client by an agency, the agency shall:</p>	P 000		

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P 000	<p>Continued From page 6</p> <p>(a) Provide a written disclosure statement to the client;</p> <p>(b) Require the client or a representative of the client to sign the written disclosure statement; and</p> <p>(c) Ensure that a copy of the written disclosure statement is incorporated into the record of the client.</p> <p>Based on record review and interview on 8/14/08, the agency did not provide a disclosure statement to 8 of 15 clients for signature and did not ensure that a written copy was included in the record of 8 of 15 clients.</p> <p>Findings include:</p> <p>Fifteen client records were reviewed. The files for Clients #6, #7, #8, #9, #10, #11, #12, and #13 did not contain a disclosure statement signed by the client.</p> <p>The administrator was interviewed and she stated that certain payor sources would not allow the agency to obtain signed documents from the clients. She stated she was working with those entities to obtain the required information.</p> <p>Sec. 20. 2. The written disclosure statement must include a description of and information concerning the personal care services offered by the agency, including, without limitation:</p> <p>(a) A statement which is easily understandable to the client indicating that it is not within the scope of the license of the agency to manage the</p>	P 000		

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P 000	<p>Continued From page 7</p> <p>medical and health conditions of clients should the conditions become unstable or unpredictable</p> <p>(b) The qualifications and training requirements for the attendants who provide personal care services to the clients of the agency;</p> <p>Based on record review and interview on 8/14/08, the disclosure statements provided to 7 of 7 clients did not include a statement indicating that it was not within the scope of the agency license to manage the medical and health conditions of clients should the conditions become unstable or unpredictable or a statement describing the qualifications and training requirements for the attendants.</p> <p>Findings include:</p> <p>Client files were reviewed. The files for Client #1, #2, #3, #4, #5, #14 and #15 did not include a disclosure statement indicating that it was not within the scope of the agency license to manage the medical and health conditions of clients should the conditions become unstable or unpredictable or a statement describing the qualifications and training requirements for the attendants.</p> <p>Sec. 21. 1. The administrator of an agency shall ensure that a client is not prohibited from speaking to any person who advocates for the rights of the clients of the agency.</p> <p>Based on record review on 8/14/08, the administrator did not ensure that 15 of 15 clients were informed that they were not prohibited from speaking with an advocate.</p> <p>Findings include:</p>	P 000		

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P 000	<p>Continued From page 8</p> <p>No documentation was found in fifteen client files which indicated the administrator had informed the clients that they were not prohibited from speaking to any person who advocates for the rights of clients of the agency.</p> <p>Sec. 21. 4. The agency shall develop a written description of the rights of clients and provide a copy to each client or a representative of the client upon initiation of the service plan established for the client. A signed and dated copy of the receipt of this information by the client or a representative of the client must be maintained in the record of the client.</p> <p>(b) To participate in the development of the service plan established for the client and to receive an explanation of the personal care services provided pursuant to the service plan and a copy of the service plan;</p> <p>Based on record review and interview on 8/14/08, the agency did not maintain signed and dated documentation of the client's receipt of a written description of rights, client participation in the development of the service plan, an explanation of services provided and a copy of the service plan for 6 of 15 clients.</p> <p>Findings include:</p> <p>Fifteen client files were reviewed. The agency did not maintain signed and dated documentation of the client's receipt of a written description of rights, client participation in the development of the service plan, an explanation of services provided and copy of the service plan in the files of Clients #6, #7, #8, #9, #10 and #13.</p>	P 000		

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P 000	<p>Continued From page 9</p> <p>Sec. 21. 4. The agency shall develop a written description of the rights of clients and provide a copy to each client or a representative of the client upon initiation of the service plan established for the client. A signed and dated copy of the receipt of this information by the client or a representative of the client must be maintained in the record of the client.</p> <p>(c) To receive the telephone number of the Bureau which may be contacted for complaints;</p> <p>(d) To receive notification of any authority of the Health Division to examine the records of the client as related to the regulation and evaluation of the agency by the Health Division;</p> <p>(e) To receive from the agency, within the limits set by the service plan established for the client and within the program criteria, responses to reasonable requests for assistance; and</p> <p>(f) To receive information, upon request, concerning the policies and procedures of the agency, including, without limitation, the policies and procedures of the agency relating to charges, reimbursements and determinations concerning service plans.</p> <p>Based on record review and interview on 8/14/08, the agency did not ensure that 15 of 15 clients received the telephone number of the Bureau to register a complaint or were informed that the Health Division may examine their records. The agency failed to inform 15 of 15 clients of their ability to make reasonable requests and to receive information regarding policies and procedures</p>	P 000		

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P 000	<p>Continued From page 10</p> <p>Findings include:</p> <p>Fifteen client files reviewed did not contain documentation that the clients received the telephone number of the Bureau to register a complaint or were informed that the Health Division may examine their records. The files also did not contain documentation that the clients were informed of their ability to make reasonable requests and to receive information regarding policies and procedures</p> <p>The administrator was interviewed and she stated that certain payor sources would not allow the agency to obtain signed documents from the clients. She stated she was working with those entities to obtain the required information.</p> <p>Sec. 22. 1. The administrator of an agency or his designee shall conduct an initial screening to evaluate each prospective client's requests for personal care services and to develop a service plan for the client or to accept a service plan established for the client.</p> <p>2. The initial screening and the development or acceptance of a service plan must be documented. The documentation must be dated and signed by the person who conducted the initial screening and developed or accepted the service plan.</p> <p>3. The agency shall complete the following tasks before providing the personal care services outlined in the service plan established for the client and as often as necessary if the service plan is revised:</p> <p>(b) Review the service plan with the client, including, without limitation, the schedule for the</p>	P 000			

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P 000	<p>Continued From page 11</p> <p>provision of personal care services to the client, the procedure to follow if an attendant fails to provide personal care services in accordance with the service plan, the hiring and training policies of the agency, the responsibilities of the agency, the procedure for filing a grievance or complaint and any personal care services that an attendant is prohibited from providing pursuant to section 23 of this regulation;</p> <p>Based on record review and interview on 8/14/08, the agency did not meet the requirements set forth in Section 22. (1) (2) (3) (b).</p> <p>Findings include:</p> <p>Fifteen client files were reviewed. The fifteen client files did not contain the information as outlined in Section 22. (1) (2) (3) (b).</p> <p>Sec. 23. 1. The administrator of an agency shall ensure that each attendant working for the agency is working within his scope of service and conducts himself in a professional manner. An attendant is prohibited from providing any of the services listed in subsection 2 to a client.</p> <p>(e) Administration of medication, including, without limitation, the insertion of rectal suppositories, the application of a prescribed topical lotion for the skin and the administration of drops in the eyes;</p> <p>(i) Performing a digital rectal examination;</p> <p>(l) Providing specialized services to increase the range of motion of a client;</p> <p>Based on record review on 8/14/08, the agency</p>	P 000		

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P 000	Continued From page 12 did not provide documentation ensuring the attendants are not providing the prohibited services. Findings include: The policy and procedure manual, client files and attendant files were reviewed. The manual, client files and attendant files contained a list of "Do's and Don'ts" which listed the prohibited activities. However, administration of medication, performing a digital rectal examination and providing services to increase the client's range of motion were not listed.	P 000		

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